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independent entity named "BURBANK POLICE DEPARTMENT")

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

OMAR RODRIGUEZ; CINDY
KARAGIOSIAN-GOMEZ; STEVE
KARAGIOSIAN; ELFEGO RODRIGUEZ;
AND JAMAL CHILDS,
Plaintiffs,
v.
BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE,
Defendants.

Case No. BC 414602

Location: 37
Judge: The Honorable Joanne O'Donnell

**DEFENDANT CITY OF BURBANK'S
REVISED [PROPOSED] SPECIAL
VERDICT FORM RE: PLAINTIFF
KARAGIOSIAN**

AND RELATED CROSS-ACTIONS

File Date: May 28, 2009
Trial Date: March 19, 2012 (Karagiosian)

Discovery Referee: Hon. Diane Wayne, Ret.

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Defendant CITY OF BURBANK hereby submits the following revised proposed special
3 verdict, which is CACI VF-2506A modified to apply to the facts and causes of action in this case.

4
5 Dated: March 25, 2012

MITCHELL SILBERBERG & KNUPP
Lawrence A. Michaels
Veronica T. von Grabow

6
7 By: 

Veronica T. von Grabow
Attorneys for Defendants and
Cross-Complainant CITY OF BURBANK,
including the POLICE DEPARTMENT OF
THE CITY OF BURBANK (erroneously
sued as an independent entity named
"BURBANK POLICE DEPARTMENT")

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

STEVE KARAGIOSIAN,

Plaintiff,

v.

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE,

Defendants.

Case No. BC 414602

SPECIAL VERDICT

Trial Date: March 19, 2012

1 We, the jury in the above-entitled action, find the following special verdict on the issues
2 submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against Defendant
3 CITY OF BURBANK:

4 **Hostile Work Environment**

- 5 1. Was Mr. Karagiosian subjected to unwanted harassing conduct because he is
6 Armenian on or after May 27, 2008?

7 ☐ Yes ☐ No

8 If your answer to question 1 is yes, then answer question 2. If you answered no,
9 stop here, answer no further questions, and have the presiding juror sign and date
10 this form.

- 11 2. Was Mr. Karagiosian also subjected to unwanted harassing conduct because he is
12 Armenian before May 27 2008, which conduct was all of the following: (a) similar
13 in kind to the conduct occurring on or after May 27, 2008; (b) occurred with
14 reasonable frequency; and (c) had not stopped (or become permanent)?

15 ☐ Yes ☐ No

16 Answer question 3.

- 17 3. Was the harassing conduct which you found to exist in response to questions 1 and
18 2 severe or pervasive?

19 ☐ Yes ☐ No

20 If your answer to question 3 is yes, then answer question 4. If you answered no,
21 stop here, answer no further questions, and have the presiding juror sign and date
22 this form.

- 23 4. Would a reasonable person in Mr. Karagiosian's circumstances have considered the
work environment to be hostile or abusive?

☐ Yes ☐ No

1 If your answer to question 4 is yes, then answer question 5. If you answered no,
2 stop here, answer no further questions, and have the presiding juror sign and date
this form.

3 5. Did Mr. Karagiosian consider the work environment to be hostile or abusive?

4 ☐ Yes ☐ No

5 If your answer to question 5 is yes, then answer question 6. If you answered no,
6 stop here, answer no further questions, and have the presiding juror sign and date
this form.

7 6. Did Burbank know or should it have known of the harassing conduct?

8 ☐ Yes ☐ No

9 If your answer to question 6 is yes, then answer question 7. If you answered no,
10 stop here, answer no further questions, and have the presiding juror sign and date
this form.

11 7. Did Burbank fail to take immediate and appropriate corrective action?

12 ☐ Yes ☐ No

13 If your answer to question 7 is yes, then answer question 8. If you answered no,
14 stop here, answer no further questions, and have the presiding juror sign and date
this form.

15 8. Did Mr. Karagiosian prove by a preponderance of the evidence that the harassing
16 conduct was a substantial factor in causing harm to him?

17 ☐ Yes ☐ No

18 If your answer to question 8 is yes, then answer question 9. If you answered no,
19 stop here, answer no further questions, and have the presiding juror sign and date
20 this form.

Failure To Prevent Hostile Work Environment

NOTE: Answer question 9 only if you answered yes to question 8.

9. Did Mr. Karagiosian prove that Burbank failed to take reasonable steps to prevent harassment from occurring?

___ Yes ___ No

If your answer to question 9 is yes, then move to question 10. If you answered no, then move to question 10 if you answered yes to question 8. Otherwise, stop here, answer no further questions and have the presiding juror sign and date this form.

Damages

10. What are Mr. Karagiosian's damages?

\$ _____

11. Did Burbank prove Mr. Karagiosian could have avoided some or all of his damages if he had used Burbank's harassment complaint procedures?

___ Yes ___ No

If your answer to question 11 is yes, then answer question 12. If you answered no, stop here, answer no further questions and have the presiding juror sign and date this form.

12. What amount of damages could Mr. Karagiosian have avoided if he had used Burbank's harassment complaint procedures?

\$ _____

Please sign and date this form.

Signed: _____

Presiding Juror

Dated: _____

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the county of Los Angeles, State of California.

4 I am over the age of 18, and not a party to the within action; my business address is , .

5 On March 26, 2012, I served the foregoing document(s) described as **DEFENDANT**
6 **CITY OF BURBANK'S REVISED [PROPOSED] SPECIAL VERDICT FORM RE:**
7 **PLAINTIFF KARAGIOSIAN** which was enclosed in sealed envelopes addressed as follows,
and taking the action described below:

8 Solomon E. Gresen, Esq., seg@rglawyers.com
9 Steven V. Rheuban, Esq., svr@rglawyers.com
10 Law Offices of Rheuban & Gresen
11 Los Angeles County Superior Court
12 111 North Hill Street
Los Angeles, CA 90012
Attorneys for Plaintiffs Omar Rodriguez, Cindy
Guillen-Gomez, Steve Karagiosian, Elfego
Rodriguez, and Jamal Childs

13 ☒ **BY PERSONAL SERVICE:** I hand delivered such envelope(s):

14 ☒ to the addressee(s);

15 ☐ to the receptionist/clerk/secretary in the office(s) of the addressee(s).

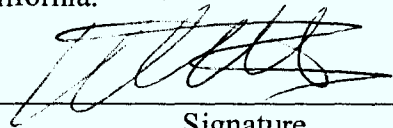
16 ☐ by leaving the envelope in a conspicuous place at the office of the addressee(s)
17 between the hours of 9:00 a.m. and 5:00 p.m.

18 I declare under penalty of perjury under the laws of the State of California that the above is
true and correct.

19 Executed on March 26, 2012, at Los Angeles, California.

20
21 Veronica von Grabow

Printed Name

22 
Signature